REMARKS

Examiner Interview:

Applicants thank the Examiner for an interview granted on August 6, 2008, in which the Examiner indicated that the present amendments to independent Claim 45 rendered the Claim patentable over Kayser.

Claims:

Claims 45-52 and 54-56 comprise the case.

Independent Claim 45 has been amended to recite that the provided update input signal at said electronic persistent visual display input is "for display by said electronic persistent visual display", in accordance with the specification, for example, at page 12, lines 2-3; at page 13, lines 14-15; at page 14, lines 9-10 and lines 17-19; etc. Claim 45 has been further amended to recite that the information regarding the operational element and processor comprises "information regarding at least one of hardware, software and firmware of" the operational element and processor in accordance with the specification at page 9, line 17 – page 10, line 17, and page 12, line 5 – page 15, line 3. Claim 45 has also been amended to incorporate details of the automated data storage system in accordance with the specification at page 16, line 7 – page 21, line 14. Applicants respectfully submit that no new matter has been added.

35 USC § 103:

Claims 45-52 and 54-56 stand rejected under 35 USC 103(a) as being unpatentable over Kayser (U.S. Patent 6,089,453) in view of Hausler (U.S. Patent 6,082,844).

A)1) The Examiner had called attention to Kayser as having, according to the Examiner, "electronic devices 20" with a "network interface (31) to a network (27)", and "an electronic visual display (156) mounted at said electronic device (col. 46, lines 47-48)". The Examiner further pointed out that the claimed "information regarding said at least one operational element and said processor" might be read on the "display tag address" of Kayser.

Applicants have amended independent Claim 45 to recite that the processor provides "an update input signal at said electronic persistent visual display input for display by said electronic persistent visual display," thereby defining over the "display tag address" of Kayser, which address is not displayed.

Further, the Kayser centralized pricing distribution network teaches away from Applicants' claimed network of "a plurality of said electronic devices each comprising ... an electronic persistent visual display mounted at said electronic device" providing ... selected said information regarding ... at least one operational element and said processor" of that electronic device and stored by the processor of that electronic device. (Emphasis added).

Kayser teaches a distribution system with a main distribution loop and branch loops which distribute the information signals for the tags, and a display circuit within each display tag that generates a display in response to the information signals. (Column 4, lines 25-45). The display is about whatever is on the store shelf and any local storage is only part of the display, a different entity than whatever is on the store shelf.

Applicants' claims instead are to a system which comprises a network and electronic devices, "a plurality of said electronic devices each comprising: a network interface to said network ***". Rather than display only distributed information as Kayser, Applicants' "electronic devices" "each" comprises a processor "configured to store information regarding said electronic device; and said processor configured to ... provide an update input signal at said electronic persistent visual display input for display

by said electronic persistent visual display, said update input signal comprising selected said information regarding ... said electronic device stored by said processor, said update signal to update said visual label display of said electronic persistent visual display." (Claim 45) (Emphasis added).

A)2) Kayser teaches away from Applicants' "operational element" operated by a processor.

Kayser's element 158 is a display driver and is NOT an "operational element" of an "electronic device" operated by a "processor configured to operate said at least one operational element" of Applicants' claims. Kayser's processor 146 is "for maintaining an assigned display set on an LCD display 156 and communicating with the area controller 31. The display 156 is preferably driven using a conventional two-row display driver circuit 158 controlled by the CPU 146." (Column 66, lines 19-23)

An "operational element" of an "electronic device" is defined in Applicants' independent Claim 45 as "at least one said operational element for operating said automated data storage library, an operational element for at least one said electronic device comprising at least one of said at least one data storage drive and said at least one robot accessor". (Emphasis added).

The Examiner refers to Hausler as providing a robot accessor, and states "it would have been obvious ... to have added the robot accessor of Hausler to the an automated data storage library system of Kayser".

However, Kayser teaches "electronic display tags for displaying pricing and product information for products in stores or warehouses." (Abstract, lines 1-3), and does not provide an automated data storage library system as is required by Applicants' independent Claim 45. Thus, an automated data storage library system would have to be substituted for the Kayser system of "electronic display tags for displaying pricing and product information for products in stores or warehouses" (Abstract, lines 1-3), which Applicants contend is beyond the range of potential "obviousness".

Further, Applicants' claimed "operational element" of an "electronic device" is NOT the display or display driver itself. Rather, per independent Claim 45, the "electronic persistent visual display [is] mounted at said electronic device" (emphasis added), whereas the alleged Kayser "operational element" is the display driver, and the display is "disposed along the front rails of the store's multiple display shelves 24" (column 11, lines 38-40), teaching away from Applicants' operational element and Applicants' invention.

A)3) The Examiner had called attention to Kayser as having, according to the Examiner, an "electronic devices 20" with "an electronic visual display (156) mounted at said electronic device (col. 46, lines 47-48)".

However, Applicants' invention and claims comprise an entirely different direction for employing "an electronic persistent visual display" than Kayser; a direction that Applicants respectfully submit is patentable over Kayser.

Kayser uses the nonvolatile memory and display as "electronic display tags for displaying pricing and product information for products in stores or warehouses." (Abstract, lines 1-3).

A main distribution loop and branch loops distribute the information signals for the tags, and a display circuit within each display tag generates a display in response to the information signals. (Column 4, lines 25-45).

The Examiner equates "operational element" of Applicants' claims to Kayser's display driver 158.

Kayser defines the display driver 158 as "a conventional two-row display driver circuit 158 controlled by the CPU 146" to drive "display 156" (column 66, lines 20-23). The function of the CPU and display driver is "for maintaining an assigned display set on an LCD display 156" (column 66, lines 17-20).

The display 156 is one of "a plurality of display tags 20 disposed along the front rails 22 of the store's multiple display shelves 24" (column 11, lines 38-40). The information that is provided to the CPU for display is "prices, descriptions and/or special information for all the products ... Typically, there is a one-to-one correspondence between each display tag 20 and a particular item of merchandise" (column 11, lines 40-45).

Thus, the information provided to the display is about the merchandise on the shelf corresponding to the display, and not about the alleged Kayser "operational element" or CPU, thereby teaching away from Applicants' independent Claim 45, "said processor configured to, in response to a predetermined state, provide an update input signal at said electronic persistent visual display input for display by said electronic persistent visual display, said update input signal comprising selected said information regarding at least one of hardware, software and firmware of said at least one operational element and said processor stored by said processor, said update signal to update said visual label display of said electronic persistent visual display." (Emphasis added).

The claimed provision that the provided "update input signal at said electronic persistent visual display input [is] for display by said electronic persistent visual display" additionally defines over the "display tag address" of Kayser, as discussed above.

A) Summary:

Applicants respectfully submit that Claim 45 and all claims that depend therefrom (Claims 46-52 and 54-56) are patentable over Kayser in view of Hausler. Applicants therefore respectfully request allowance of Claims 45-52 and 54-56 thereover.

B) Dependent Claims:

Claim 46 recites "wherein said predetermined state of said processor of said at least one electronic device comprises a power-on and/or reset of said electronic device", whereas Kayser teaches away from Applicants' updating a display in response to a predetermined state of the processor at each electronic device, instead updating "prices, descriptions and/or special information for ... the products" (column 11, lines 40-45), as directed by "the system controller 28 and an in-store computer 40" (column 12, lines 8-18).

Claim 47 recites "wherein said processor of each of said plurality of electronic devices comprises a programmable computer processor and said predetermined state of said processor comprises completion of an update to computer readable program code of said programmable computer processor", whereas Kayser teaches away from Applicants' updating a display in response to a predetermined state of the processor at each electronic device, as discussed above.

Claim 48 recites "wherein said processor of each of said plurality of electronic devices additionally is configured to update said information regarding said electronic device stored by said processor with status information related to said update to computer readable program code of said programmable computer processor, and said processor update signal selected information comprises at least said status information" whereas Kayser teaches away from Applicants' updating information regarding the electronic device, as discussed above.

Claim 49 recites "wherein said processor of each of said plurality of electronic devices comprises programmable logic and said predetermined state of said processor comprises completion of an update to said programmable logic", whereas Kayser teaches away from Applicants' updating a display in response to a predetermined state of the processor at each electronic device, as discussed above.

Claim 50 recites "wherein said processor of each of said plurality of electronic devices additionally is configured to update said information regarding said electronic device stored by said processor with a version number of said update to said programmable logic, and said processor update signal selected information comprises at least said version number of said update to said programmable logic", whereas Kayser teaches away from Applicants' updating information regarding the electronic device, as discussed above.

Claim 51 recites "wherein said predetermined state of said processor comprises a state achieved in response to an indication of completion of an engineering change to said electronic device", whereas Kayser teaches away from Applicants' updating a display in response to a predetermined state of the processor at each electronic device, as discussed above.

Claim 52 recites "wherein said processor of each of said plurality of electronic devices additionally is configured to update said information regarding said electronic device stored by said processor with an engineering change number of said engineering change to said electronic device, and said processor update signal selected information comprises at least said engineering change number of said engineering change", whereas Kayser teaches away from Applicants' updating information regarding the electronic device, as discussed above.

Claim 54 recites "wherein said processor of each of said plurality of electronic devices additionally is configured to update said information regarding said electronic device stored by said processor with status information related to said change to said at least one operational element, and said processor update signal selected information comprises at least said status information", whereas Kayser teaches away from Applicants' updating information regarding the electronic device, as discussed above.

Claim 55 recites "wherein said predetermined state of said processor comprises a state achieved in response to a signal received at said network interface", whereas Kayser teaches away from Applicants' updating a display in response to a predetermined state of the processor at each electronic device, as discussed above.

Claim 56 recites "wherein said processor of each of said plurality of electronic devices additionally is configured to select said information stored by said processor in accordance with said signal received at said network interface", whereas Kayser teaches that the information is directed by "the system controller 28 and an in-store computer 40" (column 12, lines 8-18), thereby teaching away from Applicants' updating a display wherein the selection is made by the processor at each electronic device, as discussed above.

B) Summary:

Applicants respectfully submit that each dependent claim (Claims 46-52 and 54-56) is patentable over Kayser. Applicants therefore respectfully request allowance of Claim 45 and of Claims 46-52 and 54-56 thereover.

CONCLUSION:

Accordingly, Applicants believe the present invention distinguishes over the cited patents and respectfully requests that the Examiner allow Applicants' Claim 45 and Claims 46-52 and 54-56, and pass the case to issue.

Respectfully submitted,
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